

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**STATE OF TEXAS,** )  
vs. ) No. 3:21-CV-97-B (BH)  
**JOSEPH DINGLER,** )  
Defendant. ) Referred to U.S. Magistrate Judge<sup>1</sup>

## **RECOMMENDATION REGARDING REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL**

Before the Court is the *Motion to Petition the Courts for Redress Without Being Taxed and Demand for Declaration that Access to Justice Isn't to be Bought or Sold on Appeal*, received on March 17, 2021 (doc. 14), which is liberally construed as a motion for leave to proceed *in forma pauperis* on appeal.

- (X) The request for leave to proceed *in forma pauperis* on appeal should be DENIED because the Court should certify under Fed. R. App. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith, and that it presents no legal points of arguable merit and is therefore frivolous for the reasons set forth in the findings, conclusions, and recommendation filed in this case on January 20, 2021 (doc. 7). The request also should be denied because the defendant failed to timely provide enough information for a determination of whether *in forma pauperis* status is appropriate, as instructed in the order filed in this case on March 18, 2021 (doc. 15).

If the Court denies the request to proceed *in forma pauperis* on appeal, the defendant may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). See Fed. R. App. P. 24(a)(5).

**SO RECOMMENDED** this 6th day of April, 2021.

Irma Carrillo Ramirez  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Under Amended Miscellaneous Order No. 6 (adopted by Special Order No. 2-59 on May 5, 2005), requests to proceed in forma pauperis are automatically referred.